

## Questions and Answers

### Regarding a Petition to List the Colorado River Cutthroat Trout as a Threatened or Endangered Species

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The U.S. Fish and Wildlife Service concluded a petition to list the Colorado River cutthroat trout as a threatened or endangered under the Endangered Species Act does not provide substantial information that a listing may be warranted at this time.

The following questions and answers provide information regarding this finding.

#### **What is the Service's finding regarding the petition to list the Colorado River cutthroat trout?**

After careful review of the petition and its supporting documentation, as well as other available information, the Service found that while the Colorado River cutthroat trout has declined from historic levels, the most recent biological information and surveys indicate that a significant number of viable, self-sustaining, and well-distributed populations are found throughout its historic range. Furthermore, Federal and State natural resource agencies are implementing range-wide conservation efforts to improve the status of these populations.

The petition does not provide substantial biological information to indicate that the Colorado River cutthroat trout is in danger of extinction.

#### **What information did the Service use to make this finding?**

In addition to reviewing the petition and its supporting documentation, the U.S. Fish and Wildlife Service examined information contained in its files and information otherwise available from State and Federal agencies whose responsibilities include management Colorado River cutthroat trout.

#### **What is the Service's finding regarding the status of the Colorado River cutthroat trout?**

The states of Colorado, Utah and Wyoming report 327 conservation populations – or fish that are more than 90 percent pure Colorado River cutthroat trout. Of these, 286 populations occupy approximately 1,010 stream miles and 41 populations occupy approximately 1,124 acres of lakes. These populations include 221 core conservation populations – or fish that are more than 99 percent pure Colorado River cutthroat trout - in approximately 684 stream miles and 30 core conservation populations in approximately 545 acres of lakes.

Fifty-three percent of existing core conservation populations are currently protected by a natural or artificial barrier to prevent intrusions by non-native fish.

## **What is a 90-day finding?**

Under the Endangered Species Act, any citizen or organization can petition the Service to list a species for Federal protection. The 90-day finding is the first step in processing a petition.

The finding is based on a detailed assessment of the petition and other available information on the species. Two possible conclusions can be reached as part of the 90-day finding: either substantial information was provided in the petition indicating that listing may be warranted – in which case, the species would then be placed on a list of candidate species and given further consideration for listing - or the information was not substantial enough to provide such an indication.

In the case of the Colorado River cutthroat trout, the Service found that further consideration of listing is not warranted at this time.

The Service was petitioned by the Center for Biological Diversity, the Biodiversity Legal Foundation, Biodiversity Associates, Ancient Forest Rescue, Southwest Trout, Wild Utah Forest Campaign, Colorado Wild, and Mr. Noah Greenwald to list the Colorado River cutthroat trout as a threatened or endangered species in its occupied habitat within its historic range.

## **Why do the petitioners think the Colorado River cutthroat trout should be added to the list of threatened and endangered species?**

The petition states the Colorado River cutthroat trout has been reduced to small, unstable headwater drainages in less than 5% of its historic habitat due to livestock grazing, water diversions, mining, logging, and roads. The petition further asserts the species is threatened by recreational fishing, whirling disease, non-native fish species, and that there are inadequate regulations to protect it and its habitat.

The Service concurs that certain land management practices such as overgrazing and water diversions can negatively impact Colorado cutthroat trout habitat. However, the petition fails to recognize the ongoing efforts of the State and Federal land management agencies to protect and conserve Colorado cutthroat populations through fishing regulations, and by prohibiting nonnative stocking near core or conservation populations.

The Service also acknowledges that hybridization does occur in some Colorado River cutthroat trout populations. But many populations are more than 99 percent pure Colorado River cutthroat trout - and the states of Colorado, Wyoming and Utah have implemented policies to protect the genetic purity of the core populations.

Whirling disease is a significant concern for trout in general, but few Colorado River cutthroat trout populations have tested positive for the disease, and the states of Colorado, Wyoming and Utah are implementing management actions to protect Colorado cutthroat

trout from whirling disease. Also, the whirling disease pathogen is unlikely to proliferate in much of the Colorado River cutthroat trout habitat.

### **What is a Colorado River cutthroat trout?**

The Colorado River cutthroat trout is the only salmonid native to the upper Colorado River basin. It is distinguished by red/orange slash marks on both sides of the lower jaws and relatively large spots concentrated on the posterior part of the body.

### **What is the range of the Colorado River cutthroat trout?**

The Colorado River cutthroat trout currently occupy portions of the Colorado River drainage in Colorado, southern Wyoming, and eastern Utah and may still occur in very limited areas in New Mexico and Arizona.

Last updated 4/20/04